

ORDINANCE NO. 18-_____

AN ORDINANCE AMENDING SECTION 1503 (GRADING PLANS) OF PART 15 (GRADING PLANS AND EROSION AND STORMWATER QUALITY CONTROL PLANS) OF ARTICLE 7 (SUBDIVISION REGULATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO GRADING PLANS FOR SINGLE FAMILY AND DUPLEX DEVELOPMENT IN THE HILLSIDE OVERLAY ZONE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 1503 (Grading Plans) of Part 15 (Grading Plans and Erosion and Stormwater Quality Control Plans) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.7.1503: GRADING PLANS:

* * *

E. Any grading or other disturbance of land in an area zoned hillside overlay under section 7.3.504 of this chapter, unless the person has obtained from a registered professional engineer licensed by the State of Colorado a grading plan done in a manner to protect other property from the adverse effects of the grading. The grading plan shall be signed and bear the seal of a registered professional engineer licensed by the State of Colorado. Specifically, and without limitation or inclusion, the grading plan should include the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures when necessary, and should be of sufficient clarity to indicate the nature and extent of the work proposed and shall include the engineer's statement that the work will not become a hazard to life and limb, endanger property, or adversely affect the safety, use or stability of a public way, drainage channel or other property. An owner's statement shall also be included on the grading plan agreeing to comply with the requirements of the grading plan. The grading plan

shall be submitted to the City Engineer for review and acceptance. An erosion and stormwater quality control plan is also required to be submitted to the City Engineer for review and acceptance in conjunction with a grading plan¹. A combined grading, erosion and stormwater quality control plan may be prepared and submitted if all the requirements for both plans can be incorporated into a single plan and presented in a clear manner. Signoff and acceptance of both the grading plan and the erosion and stormwater quality control plan, or a combined plan, by the City Engineer shall constitute a grading permit authorizing the approved land disturbance and implementation of the approved erosion and stormwater quality control measures; provided that acceptance shall not constitute a grading permit for any area zoned hillside area overlay zone under section 7.3.504 of this chapter.

Grading plans and/or erosion and stormwater quality control plans (plans) expire if site construction or land disturbance has not commenced within twelve (12) months of the City Engineer's plan acceptance. The plans must then be resubmitted for acceptance. Previously accepted plans must also be resubmitted to the City Engineer for acceptance when any of the following occur: 1) change in ownership of the property to be disturbed, 2) proposed development changes to the site, or 3) proposed grading revisions to the site.

When a hillside site/lot grading plan is submitted pursuant to section 7.3.504 of this chapter as part of a single family or duplex single lot development building permit application, a grading plan pursuant to this section shall not be required.

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Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2018.

Finally passed: _____

Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk